

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

LEE MILLER, #688520

§

VS.

§

CIVIL ACTION NO. 5:06cv93

**UNNAMED STATE PRISON OFFICIALS, §
ET AL.**

ORDER OF DISMISSAL

Plaintiff Lee Miller, an inmate confined in the Texas prison system, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation concluding that the complaint should be dismissed pursuant to the “three strikes” provision of 28 U.S.C. § 1915(g). The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Plaintiff are without merit. Therefore the findings and conclusions of the Magistrate Judge are adopted as the findings and conclusions of the Court. It is accordingly

ORDERED that the complaint is **DISMISSED** with prejudice for purposes of *in forma pauperis* proceedings pursuant to 28 U.S.C. § 1915(g). The Plaintiff’s *in forma pauperis* status is **REVOKED**. The Plaintiff may resume his lawsuit if he pays the entire filing fee of \$350 within thirty days from the entry of this Order. It is further

ORDERED that the Clerk shall return unfiled any new lawsuit tendered by the Plaintiff for filing unless he simultaneously submits the entire filing fee. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

SIGNED this 1st day of June, 2006.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE